



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

July 21, 2011

✓ Mr. Sid Foulger

REDACTED

**Warning Letter Re: FPPC No. 09/299; Sid Foulger, Respondent**

Dear Mr. Foulger:

The Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act ("Act"),<sup>1</sup> found in Government Code section 81000, et seq. This letter is in response to a referral from the Secretary of State that alleged you failed to file a major donor campaign statement.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that on November 1, 2008, you made a contribution to the PROTECTMARRIAGE.COM committee, but failed to file a Major Donor and Independent Expenditure Campaign Statement, Form 461, in connection with that contribution by the February 2, 2009<sup>2</sup> deadline.

Specifically the Act defines a committee to include any person that makes contributions totaling \$10,000 or more in a calendar year to or at the behest of candidates or committees. (Section 82013.) Persons who qualify as a major donor file campaign statements on a semi-annual basis disclosing the contributions made during a six-month period. (Section 84200.)

Your actions violated the Act because you made a \$50,000 contribution to PROTECTMARRIAGE.COM in November 2008, but failed to file a semi-annual campaign statement. However, based on the information you provided and the fact that you do not have an enforcement history, we are closing our file on this matter with a warning letter. Be advised that you are still required to file the Form 461 electronically with the Secretary of State. (Section 84605.)

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<sup>1</sup> The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

<sup>2</sup> The filing deadline for a campaign statement is January 31<sup>st</sup> and July 31<sup>st</sup> of each year. If the deadline falls on a Saturday, Sunday or official State holiday, the deadline is moved to the next regular business day. (Regulation 18116.) January 31, 2009 was a Saturday.


This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Please feel free to contact Teri Rindahl at 916-327-2018 with any questions you may have regarding this letter.

Sincerely,

REDACTED

 Gary S. Winuk, Chief  
Enforcement Division

GSW/tr

Cc: Los Angeles County Registrar Recorder/County Clerk